The RECONSTRUCTIONIST

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edicated to the advancement of Judaism as a religious civilization, to the upbuilding of rael's ancient homeland, and to the furtherance of universal freedom, justice and peace.

the Reconstructionist

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The RECONSTRUCTIONIST

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EDITORIALS

THE NEW YEAR AND THE NEW STATE

THE outstanding fact in Jewish life during the year 5708 was the establishment of the State of Israel, an extraordinary culmination of millenia of dreams and decades of relentless effort. We of this generation can but dimly sense the full magnitude of this achievment; "we are as those who dream." All we know is that we stand in the presence of a miracle of history, a great vindication of faith in the power of an idea. Who may ever again assert, with dogmatic finality, that anything is impossible, in a world which has witnessed the rebirth of Israel?

By all standards of estimation, the new Israel is here to stay. Through all the uncertainties and perils of betrayal, double-dealing and dissidence, one certainty has emerged, clear, unmistakable, unshakable: *the State of Israel is here to stay.* It is a fact, a hard reality. As a correspondent in *The Nation* puts it, "The infant State of Israel is the youngest member in the family of nations. To the United Nations nursemaids, it has turned out to be a tough kid, with a tenacious will to live." *Medinat Yisrael hai vekayyam.*

Israel is not, however, merely a fact; it is a good fact, full of the promise of democratic ideals. Its people, like their forefathers brought out of Egypt, remember they were slaves but yesterday. In the preamable of their projected constitution, they "humbly give thanks to the God of (their) fathers for having delivered (them) from the burden of exile and brought (them) back to (their) ancient land." Inspired by the countless generations of martyrs who kept the flame of hope high, they "resolve to build (their) commonwealth in accordance with the ideals of peace and justice of the Prophets of Israel, to open (their) land to every Jew who seeks entry, to maintain the rights of the strangers within (their) gates, and to promote the peace of the Holy Land, and the security and prosperity of all who dwell therein."

These are not empty phrases. Laws now being drawn call for complete freedom of religion, freedom from fear and want. Already the sincerity of these high protestations has been revealed. Rabbi Judah Leib Fishman, Minister of Religions (note the plural *Religions*), speaking to the inhabitants of the conquered city of Nazareth, proclaimed full freedom for the practice of Christianity by the Christians. That a government official, who is himself a devoutly Orthodox Jew, should have declared all religions equal in the sight of the law, in the very birth-

place of Christianity, augurs well for the peace and harmony of Israel's citizens. Unfortunately, it stands in ironic contrast to the recent statement of the Jesuits in Rome who declared: "The Roman Catholic Church, convinced through its divine prerogatives of being the only true church, must demand the right to freedom for herself alone. . . ." Rome may yet have to learn from Nazareth again.

Israelis will enjoy not only freedom for the spirit but the security which sustains that freedom. Plans are afoot to provide guaranties for a national system of compulsory unemployment insurance, old-age and health insurance, prohibition of child labor, and minimum hours of employment for women in industry. National minorities, mainly of course the Arab minority, will be granted full rights, and recognition of their grouphood. Autonomous cultural institutions are already in the making. Arabic newspapers and schools are functioning.

This island of democracy in a sea of ancient monarchies and feudal anachronisms may be a "tough kid," but it is still a "kid." It cannot stand alone. It cannot grow without help. American Jews, who burst with pride at their part in having begotten the new Israel, must stand by it during these next crucial years. Israel still needs money, morale and manpower. American Jewry, as the only strong and healthy kindred community, must provide all of these.

But American Jewry will also need help from Israel. With the amelioration of the lot of our people abroad through resettlement in Israel, and through rehabilitation in other lands, American Jewry will be confronted with the task, long postponed, of setting its own communal house in order, building its own culture, and breathing new vitality into its religious institutions. It will not be able to do these things without the help of Israel. It is, therefore, the prime task of our generation to forge those links of spirit that may unite Israel to America—and to all the lands of the dispersion—so that the Jewish people may continue to be one and indivisible, under whatever flags Jews may reside. On the threshold of the new year, we pray not only for the growth and security of Israel, but for the unity and the continuity of the whole House of Israel, the Jewish people everywhere.

"DAYS OF DREAD" FOR THE WORLD

REVIEWING the international situation on the threshold of the new year intensifies the mood of apprehension and dread that pervades the observance of the *Yamim Nora-im*. The year that is passing has witnessed a deterioration in international relations that bodes disaster to the world. The East-West conflict has been growing more and more tense and the nations are apparently being drawn into the vortex of a cataclysmic world war. We shall pray that this fate may be averted, and so shall people of all nations, races and creeds on both sides of the international schism. But we fear that prayer alone cannot undo the mischief that has already been done or avert the evil decree that mankind is pronouncing upon itself by its failure to achieve international justice and world unity.

In the closing months of World War II, the sentiment for "One World" was at its height. Never again would any nation be permitted to go on the rampage against the peace and security of its neighbors. The great coalition of power that had subdued the aggressive forces of the Berlin-Rome-Tokyo Axis would make itself responsible for organizing and maintaining the unity and peace of the world. The mistakes of the League of

Nations would not be repeated. The League had had no power at its disposal to impose sanctions—it could only recommend their imposition to its constituent nations; these by-passed the League whenever it suited their national interests, while the United States and Russia withdrew from it altogether. But in the United Nations, the Great Powers were to assume collectively responsibility proportionate to their might.

All this, however, was predicated on the assumption of unity of purpose among the Great Powers and of their willingness to resolve any conflicts among themselves by the full utilization of the United Nations machinery. Instead, that machinery has been progressively paralyzed by the mutual antagonism between East and West which threatens to destroy the United Nations as the previous conflict between the Axis and the rest of the world had destroyed the League of Nations. The Assembly of the United Nations is now in session. It has before it a great number of issues that must be resolved, if a genuine peace is to be achieved. In every continent these problems exist, but the solution of every one of those issues is complicated by the power struggle between East and West. The problems of Palestine, of India, of Korea, of Greece, of the Italian colonies, and, above all, the German problem, are none of them being considered purely on the merits of the rival claims at issue, on considerations of fairness and the welfare of the populations immediately concerned, but always in relation to the balance of power. The use of naked force or the threat of force and of deliberately false propaganda has become general. It is virtually impossible for the individual, who is not in a position to know the relevant facts, to exercise any valid judgment on international issues. As for the diplomats who are in a position to know the facts, they have, for the most part, forfeited the confidence of the peoples of the world by their double talk and by their double-crossing of populations that rely on their pledges.

This impotence of the men of good will to halt the drift to war has cast a defeatist mood over our generation that leads to cynicism, to a glorification of violence, to a radical nihilism subversive of all human values. No people has escaped its influence, not even we Jews, although our efforts to establish the State of Israel on foundations of social justice and international law run counter to the general trend. Such acts as the slaying of Bernadotte, and other revolting crimes perpetrated by dissident groups in defiance of the democratic government of Israel show that we, too, have been grievously infected by the disintegration of humane and ethical sentiment and conviction.

We cannot this time on our New Year face the future with an easy optimism. But our religion also forbids us to approach it with despair. In spite of our helplessness before the menace of world war, we must not give up our faith that, the divine plan is for mankind eventually to become *agudah ahat,* a single legal and moral community. We still hope that the horrors of another world war, immeasurably more brutal and destructive than any that preceded it, will be averted. But even if that hope should not be realized, we will still go on believing that this is not the end and that men will ultimately learn how to live with one another. For we know that wars do not simply happen, like some natural calamity such as a hurricane or an earthquake. Wars result from the failure of men to control their lusts and greeds, their prejudices and hatreds. But men can learn. No war today is possible which does not mean woe to the victor as well as to the

vanquished. Whatever there is of good will in the world, and good will does exist, is a protest against all that makes for war. We cannot believe that that protest is meaningless. We must believe that it is the very voice of God proclaiming His will which must ultimately prevail.

THE OUTLOOK FOR AMERICA

WHAT is the outlook for the new year at home? Hysteria has gripped the nation over the fear of war. The reactionaries in government are doing nothing to calm this hysteria; on the contrary, through the investigations of Communist influence in government and in labor unions, they seem eager to stir up emotions to the highest possible pitch. While evidence points to the efforts of the Communists to infiltrate into key positions in American government and economy, it is questionable whether the tactics pursued by the House Committee on Un-American Activities will either result in the conviction of the real culprits or clear the atmosphere of suspicion.

On the labor front, the country is as far as ever from harmonious relations between employers and unions. The Taft-Hartley Law, avowedly designed to reduce labor-management strife in key industries and services, has failed to do so, and strikes are as rife as before its passage. Neither its defenders nor its critics have anything substantial to offer beyond urging its retention or repeal. The fundamental revision of our economic system that is needed seems to be as far beyond the purview of organized labor as beyond that of management. Thus the battle over the Taft-Hartley Law is likely to be intense, but inconclusive insofar as our basic economic ills are concerned.

The rising cost of living has reached alarming proportions, with no relief in sight. Price control seems to be a political impossibility, but the only alternative offered the public is the "control of the market," the automatic control by the law of supply and demand, which, experience has shown, is no control at all. Meanwhile, the housing of America's millions is being held up by high costs and rents.

Yet despite these clouds on the American scene, there is one ray of hope that is never blacked out. That is the freedom of choice and action which our democratic institutions insure us. True, even in our internal affairs, machine politics and powerful economic interests exercise a power that often limits the electoral choices of the citizenry. But it is not true that the individual is paralyzed into inactivity; nor is it true that his vote or his social action is inconsequential. Proof of this contention is the effective revolt of the progressives in the Democratic Convention, which forced the party to take a forthright stand on the civil rights issue, thereby deliberately sacrificing the southern support courted by the profesional politicians. The American electorate is not thought-controlled. Freedom of speech is still a reality. Politicians must still keep an ear to the ground to know what is agitating the grass roots of American opinion. We are not a perfect democracy, but we are a democracy, and effective criticism of the government is still possible. All of which makes the American citizen a responsible member of a self-governing community.

WHAT OF THE FUTURE OF AMERICAN JEWRY?

UNTIL now the whole energy of the Jewish community has been directed to extrovert activities evoked by the need

or meeting emergencies. The work on ehalf of the DP's, the State of Israel, nd the fight against anti-Semitism con- tituted the substance of Jewish life in merica. But the state, we hope, will n the next few years achieve a serene ex- stence. The mass of Jewish DP's will hen be absorbed in Israel. Anti-Semitism ill probably continue to be with us, but, n one form or another, it has been with s throughout the centuries, and we must arn to live with it and still to find our ewish life worth living.

American Jewry can no longer live by ich extrovert activity only. It must oncern itself with its own soul, with de- rmining what Jewish life shall mean the American Jew, with establishing ie obligations of the individual Jew to is community and of the community to ie individual.

Evidence that this change is actually king place is to be seen in the trend nong Jewish communal agencies. Na- nal organizations have been expanding eir programs for the past few years. he American Jewish Congress, the Na- nal Jewish Welfare Board, and the onist Organization of America, have all ught to extend the scope of their ac- vities, and particularly to educate their emberships. There is undoubtedly a re- gnition on the part of the leaders that e future of their organizations depends the degree to which they meet the real eds of the Jewish community, needs that volve more than defense of Jewish hts, charity, recreation, or political ac- n for Palestine. There is a growing areness that, if Jewish organizations e to continue to receive communal sup- rt, they must help the Jew to find eaning and joy in his Jewishness. Hence e searching of heart by responsible com- nal organizations, such as the ZOA d the Jewish Welfare Board. This nd may be motivated by the natural desire of communal institutions to perpet- uate their vested interests under changed conditions, but it is nevertheless beginning to broaden their perspective of Jewish life.

Veteran readers of this magazine will recognize that its constant call for an intensified Jewish life on all levels of Jew- ish civilization is at last being heeded. However, unless there is wise planning, unless the limited energies of the Ameri- can Jewish community are properly har- nessed, and unless there are democratic controls, creative potentialities will be drained off into organizational conflicts. The Reconstructionist analysis of Jewish life, which events have proven to be so correct, must now be reckoned with in planning the Jewish future.

This calls for a strengthened Recon- structionist movement. It means that the message of Reconstructionism must reach into every nook and cranny of Jewish communal life. We call upon the sup- porters of the Reconstructionist idea to spread it through their activities and through exposing others to the influence of our publications. There can be no bet- ter way to insure the continuous growth of the American Jewish community than by active, participating membership in the Jewish Reconstructionist Foundation. For whoever takes part actively in the Recon- structionist movement will, if he is con- sistent, feel responsible for furthering every constructive tendency in Jewish life.

REALITIES AND VALUES

BRIGADIER DORI, THE CHIEF OF staff of the Israeli army, was asked by Bartley Crum, in an interview reported in the New York *Star,* whether "at some future date the Arab world might at- tempt an attack on Israel." He replied: "Mr. Crum, why is it necessary to assume permanent enmity between us and our

neighbors? . . . Once this present situation is cleared up . . . there is no reason for enmity between us and the Arabs."

His prediction is rendered plausible by the present relations between Jews and Arabs within Israel, as witness the following items culled from recent dispatches:

Israeli Minister of the Interior Yitzchak Gruenbaum, replying to a request by Vice-Mayor of Haifa, Hadj Taha Effendi Karaman, for speedy relief for the Arab population in the Haifa area, promised there would be no discrimination in relief because of race or creed. He recalled that he had himself once been the representative of a minority group, the Jewish minority in Poland.

Druze tribesmen, now being formed into a unit in the Israel army, have participated in the first Hebrew folk-dance and song festival organized by the army.

The Israeli government decided to grant a loan to the municipality of Nazareth in order to improve its water installation. Nazareth, the birthplace of Jesus, is inhabited almost entirely by Arabs, most of them Christians. It had previously applied in vain for such a loan to the British mandatory regime. Excellent relations exist between the church authorities in Nazareth and the state of Israel according to the report of Bartley Crum, who is a Catholic deeply interested in the Christian holy places.

▼

THE FIRST STATE LAW AIMED at ending racial and religious discrimination by colleges and universities went into effect in New York on September 15th.

It is a sad commentary on our culture that American institutions of higher education should have to be compelled by law not to discriminate unfairly in the admission of students.

In Jewish tradition public education in Torah, the culture of the Jewish people, was based on the premise that, as God gave the Torah freely, so its teachers must dispense it freely. To withhold Torah from one desiring to learn was considered a sin.

A religious reverence for the culture expounded in our universities should similarly have impelled scholars and educators with the zeal to impart it to all who thirsted for it. Instead, they have been inclined to hoard it for the sake of personal or class prestige. They merit the condemnation pronounced by our sages on those who use their *torah* as an *"atarah lehitgaddel bah"* (a crown for self-aggrandisement).

▼

A PROBLEM THAT WILL OCCUPY American Jewry during the coming year is that of the general direction of the Zionist movement in America, now that the determination of the political, social and economic policy of the Yishuv is the sole responsibility of the state of Israel.

This problem was discussed at a seminar recently conducted by chapters of the Intercollegiate Zionist Federation representing campuses of the southern and eastern seaboard. These are some of the significant conclusions arrived at by the seminar:

1. American Jewish contributions to Israel should include *aliyah* and American *halutziut;* increased technical, political and financial aid; the flow of American ideals to Israel; discouragement of narrow nationalist tendencies . . .; and stimulation to create both culturally and economically for greater markets.

2. Added impetus . . . to transmit to the American Jewish community and American society at large Israeli Jewish values; . . . to stimulate community-wide education. . .

3. The strengthening of Jewish consciousness, to promote inter-diaspora Jewish unity; . . . to preserve the Jewish concepts and traditions that are of unique value; to bulwark the individual and

roup security of the American Jew; and
o provide a dynamic Jewish community
apable of attracting a genuine sense of
elonging and purpose.

4. The achievement of political strength
o accomplish the above, including the
ublication of political records on Jewish
uestions, and the presentation of an ef-
ective force against the injustice of dis-
rimination.

▼

THE IDEA OF JEWISH COMmunity councils has, in recent years taken oot in American Jewry and the number f localities in which they are to be found eeps growing. But a Jewish community rganization that aims not only to inlude all of local Jewry but to make itself esponsible for the whole gamut of Jewh interests, religious as well as secular, something new.

The pioneering community is that of asadena, Calif. Our informant, Rabbi Max Vorspan writes to us:

"Within a few months our community, s far as I know, will be one of the first n Jewish life to accept the Reconstructonist concept of community. At the ast meeting of the congregation it was nanimously decided to turn over all the ssets of our congregation and its membership to a new body to be known as the asadena Jewish Community. The PJC ill assume responsibility for all Jewish fe in Pasadena and will attempt to enoll under its banner all Jews in town who onsider themselves to be such.

"Activities of the PJC will be divided nto the following areas: Religious, Eduational, Welfare Fund, Social and Recretional, Building and Expansion, Youth, udget, Finance and Membership, and ivic Affairs. Each of these departments ill be under the management of a comission . . . responsible to the Board of irectors of the PJC. The Board will onsist of the department heads plus lected officials."

Rabbi Vorspan has been designated rabbi of the community.

▼

IN OUR AGE OF MASS PROPAganda by radio, motion pictures and other appeals to the mind through the immediate impression of the senses, Jewish education cannot afford to put all its reliance on the laborious mastery of the printed word or even on formal oral instruction. The American Association for Jewish Education has therefore wisely undertaken an effort to establish an Audio-Visual Aids Institute to supply this need on a national scale.

Other organizations have already begun to produce Jewish educational material of this sort. The Hebrew Arts Foundation plans to issue monthly films to teach Hebrew songs. The September film is already being distributed. (For further information, address Mr. Ben Gradus, 515 Madison Avenue, New York, N. Y.) The Zionist Organization of America is producing film strips illustrating life in Eretz Yisrael.

But it is obvious that there is need for a central agency devoted to Jewish education to plan the production and distribution of this material on a mass scale. This will require considerable funds, but for such a purpose money should be available.

▼

THE ASSEMBLY OF THE World Council of Churches which met recently at Amsterdam received, at one of its sessions, a report stating that "The Christian Churches should reject the ideologies of both communism and capitalism." At a later session, the report was amended by inserting the words *"Laissez faire"* before "capitalism."

In certain circles that amendment has been criticized as a weakening concession. We cannot agree with that criticism. We

(*Continued on Page* 32)

Jewish Law in Conservative Judaism—Some Observations

By ROBERT GORDIS

If Jewish life is to be perpetuated in the Diaspora as well as in Israel, the role that Jewish law is to play in it and the question of how Jewish law is to function must be faced. Legalism, the tendency to establish definite norms of ethical and ritual behavior, has always characterized the Jewish religious tradition. But obviously, Jewish law cannot play exactly the same role and develop by exactly the same methods as when Jews lived in legally autonomous communities. The problem of how Jewish law can and should function today, when Jews are integrated in the civic and cultural life of democratic nations, is a problem which has long given concern particularly to Conservative Jews, but not to them alone. Without endorsing the opinions of Dr. Gordis, from some of which we are inclined to dissent, we are glad to publish his challenging paper in the hope that it will elicit further discussion of the problem. EDITORS

THE popular impression has it that, within the Rabbinical Assembly and the congregations that constitute the United Synagogue, there is a wide disparity of practice and attitude with regard to Jewish law. This is, in some slight degree, exaggerated, the areas of agreement being wider than is sometimes imagined. But more important than the precise degree of difference within Conservative Judaism is the significance of the fact.

It should be underscored that these variations are born not of indifference to Jewish law, but rather because of the failure of our leadership to set forth our basic attitudes with regard to the most pressing aspect of Jewish law, particularly those affecting the "public" welfare, like the laws of marriage, and the family. As a matter of fact, there is a great deal of honest and intelligent concern with Jewish law among many laymen within Conservative Judaism.

There are several reasons why no point of view has crystallized within the Rabbinical Assembly, which is now nearing its half-century mark. But, strange as it may seem, the difference of opinion among the membership does not constitute the principal reason. The chief cause of lack of progress has lain in the intransigence with which the various viewpoints have been maintained. *"Le meilleur est l'ennemi du bon"* the French proverb has it—,*'Better* is the enemy of *good."* Instead of agreeing to the not inconsiderable extent that agreement was possible, advocates of the different tendencies have insisted on "all or nothing" and had their wish granted—on the lowest terms!

The Range of Conservative Thinking on Jewish Law

Before exploring the possible basis for cooperative thinking and action in the field of Jewish law, it is necessary to indicate the various trends of thought represented in the Rabbinical Assembly. The following four groups may be delineated:

1) *At the left, a small group who would not accept the authority of Jewish law when it conflicts with what their conscience tells them is dictated by humanity.*

Hence they would disregard the traditional requirements for a *get* or *halitzah* before re-marriage in obvious cases of extortion, malice or fraud, or even where the government or the courts would declare the husband "legally dead." While one can sympathize with the moral sen-

ivity of this school of thought, it can-t be denied that the nullification of wish law, however lofty the motive and re the practice, threatens the entire ructure with collapse.

2) *Another small group who believe at we should meet the problems posed Jewish law in the modern world by viving the practice of the Takkanah.* *Takkanot,* or ordinances adopted by rious Jewish communities to meet local eeds and conditions, played a significant le, especially in the post-Talmudic, me-eval period, when they served to carry the adjustment of Jewish law to new nditions. The re-utilization of *tak-nah* legislation has been urged of late Rabbi Jacob Agus in several papers. Without entering into an elaborate itique of this position, it may be pointed ut that it suffers from grave practical nd theoretical drawbacks. On the prac-cal side, *takkanah* legislation by the abbinical Assembly would represent the ill of only one wing of American Jewry, nd hence of only a segment of a section f world Israel. It would be sure to cre-te new and bitter controversy in Jewish anks. On the theoretic side, the issue ould be raised within the Rabbinical ssembly itself, and surely outside, as to s competence and authority in *changing* ne law. The issuing of *takkanot,* setting side accepted norms is permitted, in neory at least, only to a court superior "in isdom and numbers" to its predecessors *bet din haggadol mehavero behokhmah veminyan*). For these reasons, *takkanah* egislation is a drastic remedy which hould not be employed until more moder-te procedures have been tried and found anting.

3) *Another very small group in the Rabbinical Assembly at the right, who elieve that no growth in Jewish law is ossible under our auspices.*

Recognizing the need for change, this group would, therefore, prefer to look either to the contemporary Palestinian rabbinate for relief, or to the ultimate reconstitution of the Sanhedrin in Palestine as the supreme religious authority.

The evidence that Jewish law has begun to evolve in Palestine is beginning to accumulate and can by no means be disregarded, even if the tempo seems too slow for outside observers. There is nothing laughable about the permission recently granted by the Chief Rabbinate to milk cows on the Sabbath, if one begins with a recognition of the sanctity of the traditional law. Another instance was the change in the financial stipulations in the *Ketubbah* introduced by the Chief Rabbinate, because of the inflationary price-structure now prevalent in Palestine, since the document has practical application and not merely symbolic meaning in Eretz Yisrael. These changes are significant because they reveal a reaction to contemporary conditions that contrasts strikingly with the virtual cessation of progress in Jewish law, which has been the outstanding character of official Orthodoxy in modern times. The demands of life came strikingly to the fore also in Rabbi Kook's earlier decision exempting the pioneers from the requirement to let the land lie fallow during the Sabbatical Year. Unquestionably, we may look forward to to an increasing tempo of progress in Jewish law in Eretz Yisrael.

However, it would be a great mistake for American Jewry to relegate the entire responsibility for developing Jewish law to the Palestinian authorities. First and foremost is the consideration that many problems which trouble us here will be automatically solved within the framework of the Jewish State *through means that are not at our disposal in the Diaspora.*

Thus no problem is more agonizing than that of the Agunah or "deserted wife" in Jewish law. Yet many of these difficulties arise today, not because of the legal requirement that the husband give the *get* or divorce to his wife, but because the Jewish court today lacks the moral or physical power to enforce its will. In Talmudic and post-Talmudic times, the Rabbinic court could compel the husband to issue the divorce when such an act seemed just and necessary to the authorities (*Yebamot* 106a; *Kiddushin* 50a). This development in Rabbinic law enabled women to sue for divorce on many grounds and went far toward equalizing their status in the eyes of the law, even though technically the husband authorized the issuance of the document.

With the loss of the power to enforce its decisions, which followed in the wake of the Emancipation, the Rabbinical courts have been helpless before countless cases of greed, malice and callous indifference. It is these that are responsible for most of the tragedies of the Agunot in modern times. In the new Jewish State, the police power of the government would again make it possible to compel obedience by the husband to the dictates of law and morality. Thus the Agunah problem would in large measure be solved without any change in the operation of Rabbinic law. It is therefore not to be expected that the Rabbinate of Eretz Yisrael will initiate any changes in this area. In general, progress is certain to be painfully slow in view of the untold levels of hyper-Orthodoxy that control religious life in Palestine today.

This last factor rules out, to all intents and purposes, the hope expressed in some quarters that a reconstituted Sanhedrin would take the lead in revitalizing Jewish law in the Holy Land. The theory is that such a Sanhedrin, if created by the unanimous Palestinian Rabbinate, would re-acquire the power of *semikkah* or "ordination," which has been in abeyance since the period of the Mishnah, and would thus conceivably be both competent and willing to introduce necessary changes in Jewish law. This view rests upon an expressed opinion of Maimonides (Commentary on the Mishnah, Sanhedrin, chap. 1; Mishneh Torah, Hilkhot Sanhedrin IV 11.) Yet in spite of this august authority, it is quite conceivable that some ultra-Orthodox rabbis might not agree to put the plan into operation. Such an effort to reconstitute a Sanhedrin as the central authority was actually made in 1538 by Rabbi Jacob Berab of Safed and ended in failure because of the opposition of Rabbi Levi Ibn Habib of Jerusalem. It is therefore wishful thinking to believe that unanimity in the Orthodox rabbinate, in Palestine or elsewhere, is likely to be achieved in the foreseeable future, or that having been achieved, it could serve as a basis for progressive evolution in Jewish law.

4) *The largest group within Conservative Judaism in general and the Rabbinical Assembly in particular believes that traditional Jewish law still possesses inherent capacities for growth and adaptation, which have not been utilized, especially in modern times.*

This evolution of Jewish law, which created the imposing edifice of Rabbinic *halakah* embodied in the Talmud, the Codes and the Responsa literature, was created principally through the technique of interpretation, and it is this procedure which needs to be revived to meet contemporary needs.

The Technique of Intepretation

The reverent, yet courageous utiliza-

n of the technique of interpretation s several great advantages over the ner methods proposed. Since it would t change Jewish law, it would avoid eating a cleavage in the household of rael. Moreover, it would not under- ne the authority of Jewish law, since would be used to introduce procedures e utilization of which by individuals d by groups would be entirely op- nal. Thus, to cite an analogy, the embers of a community which estab- hes an *erub** are permitted to carry the Sabbath, while the residents of nother, which does not create an *erub* e bound by the traditional prohibition. the entry by a couple into an arrange- ent for conditional divorce along the es of Rabbi Louis Epstein's plan of *innui shellihut*** would not on that ac- unt affect the status of another couple ho had not entered into the plan or vice rsa.

It is sometimes contended that the rocess of interpretation alone is inade- uate today to meet the pressing prob- ms involved in Jewish law in the mod- n world. This may be true, but no one an prove it, because, like religion itself, ne technique of interpretation has not eally been tried! Certainly there are ide areas in which interpretation can nprove the situation, even if it cannot ompletely solve our difficulties.

Another far-reaching objection to the se of this procedure in our day is often aised on theoretical grounds. When the abbis of the Talmud had recourse to heir interpretations, they were complete- ly unaware that they were developing Jewish law. They believed that they were merely making explicit the original meaning implicit in the Biblical text. On the other hand, modern rabbis, who have been trained in an age conscious of historical change and the concept of evolution could never believe that their interpretations are identical with the original intent of the Biblical or Rabbinic text.

This contention, while not devoid of plausibility, is so far an over-simplification of the psychology of the Talmudic sages as to constitute a distortion. Undoubtedly the Tannaim and Amoraim believed that "what any devoted scholar (*talmid vatik*) was destined to innovate, had already been revealed to Moses on Sinai." But this dictum meant not that every detail of Rabbinic law was specifically known to Moses, but that there was an essential continuity in Jewish law from Scripture to Talmud. The proof is manysided, and is, incidentally, indicated in this very utterance, for the verb *lehaddesh,* "to innovate," itself indicates a recognition of the creative character of the process of legal interpretation as a whole. In an important statement the Mishnah (Hagigah 1:8) declares that such important matters as the absolution of vows and even the Sabbath laws are "mountains hanging by a hair" with little or no warrant in the Bible. Nor does this mean that these matters were known to Moses as part of the Oral Law. Note the significant statement, "Things not revealed to Moses were revealed to Rabbi Akiba and his disciples (Bemidbar Rabba, 19;6, in the Vilna Edition). Particularly striking is the legend which declares that when Moses heard of Rabbi Akiba's lecture in the Academy he was distressed because he could not understand what was being taught, and he was relieved

* A ritual device to circumvent the prohibition of carrying things from house to house on the Sabbath.

** A device by which the couple appoint an agency, which, in the event of the presumptive death of the husband or his civil remarriage, is authorized in advance to annul the marriage.

only when he heard Akiba sum up his discussion by declaring the law in question to be "a law derived from Moses on Sinai" (Menahot 28b). This remarkable Aggadah reveals an understanding both of the change presupposed in Talmudic law, as well as of its continuity with Biblical legislation.

Moreover, there are countless specific indications that at many points the rabbis of the Talmud were conscious that the Biblical "proof" they were adducing for their enactments was essentially formal and intended to express the continuity and authority of Jewish Law. This is true not only of the widespread use of *asmakta,* which by definition is often a mere external support from a Biblical verse for rabbinic law (cf. J. M. Gutmann, *Asmakta,* Breslau 1934). But even when the Biblical verses are not merely *asmaktot* and are adduced for reasons of substance, the Rabbis were aware that the Bible could be interpreted in various ways, and therefore could be used to validate whatever position commended itself independently to the Rabbis. Thus, to cite one instance out of many, in the controversy between Rabbi Ishmael and Rabbi Akiba regarding the daughter of a priest who has fallen into immorality, we have the striking utterance of Rabbi Ishmael (Sanhedrin, 51a): *Vekhi mippene she'attah doresh bat uvat notzi zo liserefah.* "Shall we condemn this woman to be burnt simply because you attach an interpretation to the *Vav* which is prefixed to *bat* 'daughter' in the word *uvat* (in Lev. 21:9?" Here is unmistakable evidence of the fact that the Rabbis began with their understanding of the needs of their time and their own ethical attitudes, and then sought, quite properly, to base their attitude upon the Biblical text.

This process of legal development through interpretation has its striking analogy in the role of the Constitution in American life. The fact that the Constitution of the United States is open to amendment, while the Torah, being Divine, is not, does not affect the analogy in any substantial degree, since, in the period of a century and a half, twenty-one amendments have been added to the Constitution, while during the same period, thousands of laws have been scrutinized by the courts and interpreted in terms of their "constitutionality." This has been true even of laws concerned with conditions and problems which did not exist in the days of the Founding Fathers.

In sum, the technique of interpretation for the development of Jewish law, has several virtues. Behind it is the warrant of a two-thousand year tradition, besides the advantage of not undermining the authority of Jewish law, nor of breaking the bond of community with other elements loyal to traditional Judaism.

For Conservative Judaism, this technique has another practical advantage to recommend it—it offers a program upon which the various trends in Conservative Judaism can agree virtually unanimously. For even those who feel the necessity of more far-reaching changes (groups 1 and 2), can unite with the moderates on the principle of interpretation in Jewish law. As the Talmud puts it: *Yesh bikhelal matayim manah,* "One hundred is included within two hundred!" Whatever divergences regarding the later stages in the process of revitalizing Jewish law may exist, the Rabbinical Assembly should unite now for action on a program to which virtually all Conservative rabbis and laymen can give their support.

Recommendations to the Rabbinical Assembly

The following suggestions are being

proposed to the Rabbinical Assembly of America, which should fulfill the obligations devolving upon it as the spiritual leadership of the movement:

1) The Seminary Faculty should be approached with an urgent request to rework the requirements for the traditional ordination or *hattarat hora'ah,* which are far more extensive than those required by Orthodox institutions. As constituted at present, the extremely heavy requirements set up make it virtually impossible even for the best equipped and most zealous graduates to attain this authorization. Thus only two alumni have been granted it in a half century. This matter is already being seriously considered by the Faculty.

Moreover, the Seminary curriculum should be modified so that students showing an aptitude for Rabbinic studies might be able, after their freshman or sophomore year, to devote themselves more intensively to Talmud, Codes and cognate studies, and with the possible addition of a year of graduate work, make themselves eligible for the *semikah.* In pre-Nazi Germany, the modern traditional seminaries, both Orthodox and Conservative, found it possible to grant *semikah* to their more scholarly graduates. Our Seminary, with its scholastic standards at least as high as, if not higher than Breslau and Berlin, and with a group of students and alumni devoted to Torah, should be able to evolve a course of study that would produce a substantial percentage of Rabbis with *hattarat hora'ah* in each graduating class.

The Rabbinical Assembly has responded with great enthusiasm to the establishment by the Seminary of the Alumni Summer School. The Faculty should be asked to arrange the courses in rabbinics to deal with such subjects as divorce, so that properly authorized and competent *Bate Din* might be set up in various parts of the country under the guidance of qualified members of the Rabbinical Assembly.

2) The Rabbinical Assembly should begin to take immediate steps toward a careful re-consideration of the Agunah problem, with an eye to the implementation of the Epstein plan, with such changes and improvements as may be suggested by the extant literature on the subject. The history of the proposal is worth recalling. After the Rabbinical Assembly had been condemned and threatened with excommunication for favoring the plan, the provisions of which, incidentally, were wholly distorted by the opposition, the Orthodox Rabbinical Council of America adopted the identical procedure when the war broke out! The experience of the war-period and the continual deterioration of the status of Jewish law should strengthen our determination not to sit idly by, while Jewish women are condemned to suffering and loneliness because of their loyalty to Judaism, when their plight could have been alleviated *by using the resources now available in Jewish law.*

3) The development of Jewish law in a vacuum would mean its destruction. There is therefore great need for launching a campaign for intensified Jewish observance in America. The campaign might proceed by setting up small cells of chosen spirits, organized in a fellowship of *Haverim,* who would adopt a code of practice for themselves that would ultimately influence the larger body of our congregational membership. The code would include such elements as the Sabbath and festivals, daily prayers and kashrut, as well as the basic ethical imperatives of the Jewish religion. The triumph of Pharisaic or Rabbinic Judaism was almost surely due to such groups

of *Haverim,* who accepted a higher standard of personal adherence for themselves and ultimately influenced the entire people.

Such a campaign would serve notice that Conservative Judaism is much more than a watered-down Orthodoxy. But more important, it would reveal unsuspected sources of piety and devotion among many men and women in our movement, who are sincerely attached to Judaism and wish to live by its light and build its life in the future.

4) The Rabbinical Assembly has taken a great step forward in issuing a Prayer Book which is representative, in broadest outlines, of the point of view of Conservative Judaism. A commission should be set up to prepare, after careful research and discussion, a modest handbook of Jewish practice for American Jews. This work would not seek to replace the great classic codes of Judaism, but would rather be in the tradition of the *Kitzur Shulhan Arukh* and other guides to practice. This code of minima would begin to reduce the chaos of non-observance within our ranks by indicating the fundamentals of Jewish life. Thus even the Jew who would not observe the provisions included would know to what extent he had fallen away from his religious duty and what steps he ought to take to rebuild his Jewish life.

These proposals are interdependent, being part of an over-all plan. Concrete evidence that the Rabbinate is seriously resolved to restore the vitality and capacity for growth in Jewish law will go far toward correcting the prevailing confusion and indifference and will help to restore respect for Jewish law among the masses. On the other hand, this process of interpretation and growth must be accompanied by a permanent and vigorous campaign for the heightened observance of the Mitzvot. For preservation and development are the two essential ingredients in the elixir of life. Only through utilizing them both can we serve the cause of a great tradition, which has endured for twenty centuries and more and which still possess an abounding vitality and capacity to enhance and ennoble human life.

THE PLIGHT OF THE MARGINAL JEW

". . . Those marginal men and women are in somewhat the same position as an adolescent who is no longer a child and certainly does not want to be a child any longer, but who knows at the same time that he is not really accepted as a grown-up. This uncertainty about the ground on which he stands and the group to which he belongs often makes the adolescent loud, restless, at once timid and aggressive, over-sensitive and tending to go to extremes, over-critical of others and himself. The marginal Jew is condemned for his lifetime to remain in a similar situation. . . . The marginal Jew . . . does not as a rule feel sufficiently rooted in either of these groups to be clear and confident about his views and about his personal relations to either side. He is therefore compelled to remain in a rather vague and uncertain but permanent inner conflict. He is the 'eternal adolescent.' He shows the same unhappiness and lack of adjustment."

KURT LEWIN, in *Resolving Social Conflicts,* published by Harper and Brothers.

An Experiment in Parent-Education

By MARK M. KRUG

We are always happy when a suggestion offered in the columns of THE RECONSTRUCTIONIST *leads to some concrete communal activity. The following article describes a project conducted by the Buffalo Bureau of Jewish Education to carry out the suggestions of an article by Anna Baer Brevis which appeared in our magazine. We hope that the publication of the present item will stimulate some of the readers in other communities to repeat the successful experiment here described.*

EDITORS

ON May 30, 1947, Mrs. Harry J. Brevis of Buffalo published in this magazine an article entitled "A Public School Principal Looks at Jewish Education." The author stressed the fact, well known in Jewish educational circles, that lack of correlation between the home and the Jewish school is seriously hampering real progress in Jewish education. She called for a "Judaism-at-Home Movement," and recommended a series of projects which would lead toward the realization of this idea.

It was natural for the Buffalo Bureau of Jewish Education to give Mrs. Brevis' suggestion serious consideration. Copies of the article as it appeared in THE RECONSTRUCTIONIST were sent out for advance study to all members of the Bureau board, and Mrs. Brevis, herself an active board member, was asked to read and discuss her article at a full meeting of the board of directors.

The article was received with enthusiasm, and after a full and intelligent discussion, it was decided that the Bureau would make a serious attempt to lay the foundations for a "Judaism-at-Home Movement" in Buffalo.

Initiating the Hanukkah Institute

Our starting point was the realization that many parents, while desirous of making the Jewish holidays meaningful and inspiring in their homes, lacked the necessary knowledge and skill to do it effectively. We knew from experience that merely preaching to a group of parents that it is important to light and bless the candles of Hanukkah, without actually *teaching* them the melody and words of the blessings, is impractical and frustrating.

It was decided to begin with a Hanukkah Institute for Jewish Mothers. Mrs. Brevis undertook to be the chairman of this first Institute. At the invitation of the Bureau, a group of women known in the community as possessing special skills and interests were invited to form the staff of the Institute. At this meeting the following committees were established: Decoration and Gifts, Foods, Games, Books and Stories, Music and Songs. The chairmen of the committees were asked to appoint their own committee members and began immediately to gather and select materials to be presented by the committees at the various sessions of the Institute. For six weeks, 24 women who were appointed on the various committees, met frequently in respective groups and worked diligently to prepare themselves to teach the future registrants in the Institute — Hanukkah songs, stories, decorations, preparation of special Hanukkah foods, and games. During that time the women paid innumerable visits to the library of the Bureau to gather the necessary Hanukkah materials, to read many books and pamphlets on Hanukkah, and soon many of them acquired an expert knowledge on almost

everything that had been written on this holiday.

Significantly, the professional skills and interests of many committee members were directed during this preparatory period into Jewish channels. Thus, two Jewish staff members of the Buffalo Public Library who, prior to their appointment on the Books and Stories Committee, were quite unfamiliar with many of the Jewish books available, made a thorough study of books and stories relating to Hanukkah. They have also done a superb job of grading and classifying Hanukkah stories according to the ages of children who were to read them. Staff members of the local Jewish Center were most helpful and ingenious in adapting general games and songs used in the Center nursery and day camp for use during the Hanukkah season. All during this preparatory period the music, and arts and crafts consultants of the Bureau worked closely with the Institute committees.

The first surprise came when the registration for the Institute opened. It was expected that not more than thirty mothers would register for the course, but when the registration closed we had eighty-four registrants. This success in registration was primarily the result of the excellent cooperation that the Bureau received from *all* the rabbis, educational directors and congregational sisterhoods in the community. The degree of this cooperation can be seen in the fact that the wives of five of our local rabbis were active members on the various committees.

Many of the mothers pointed out that they expected the Institute to help them to make Hanukkah a most attractive holiday for the children and thus to counteract the impact of the Christmas observance on them.

The registrants represented a fine cross-section of the community and came from the Conservative, Reform and Orthodox congregations. We were, of course, very happy to have a substantial number of unaffiliated women. The great majority of the registrants were mothers of small children.

The Sessions of the Hanukkah Institute

The Hanukkah Institute met at four sessions of two hours each on four consecutive Mondays. The reader will get a better picture of the Institute if we sketch here briefly the schedule of sessions held.

The first session opened with a brief analysis of the significance of Hanukkah, Hanukkah candle blessing and Hanukkah songs, the story of Hanukkah as told to nursery age children, and to children five years and up. The mothers were also taught Hanukkah games, heard a review of Children's books for Hanukkah and received suggestions for Hanukkah gifts.

During the second session the participants after briefly reviewing the Hanukkah blessings and songs, devoted the rest of the time to *learning* the preparation of special Hanukkah foods. The Foods Committee *demonstrated* how to prepare pancakes, a *dreidel* and a Maccabean Sandwich, Menorah Vegetable Salad, Menorah Fruit Salad, etc.

The third session was devoted to Hanukkah table decorations, preparation of Hanukkah favors and gift wrappings. In preparation for this session, the Arts and Crafts Committee arranged a most beautiful display of Hanukkah decorations. During the session the chairman and her committee members *taught* the registrants individually how to make the various decorations.

The fourth session took the form of a

Hanukkah Party which was held in a large playroom of a private home. All the committees worked jointly to make this party a memorable highlight of the Institute. The Arts and Crafts Committee decorated the room with Hanukkah decorations, the Food Committee served Hanukkah foods and Hanukkah dishes. This informal session provided an excellent opportunity to review the Hanukkah songs, stories and games taught in the Institute. The women played Hanukkah games, sang Hanukkah songs and exchanged Hanukkah gifts.

The last half hour of the party was devoted to an evaluation of the Institute, during which the participants were given an opportuunity to appraise the sessions, make suggestions and plan the future Institutes. The discussion which was frank and intelligent showed that the women felt that the Institute was a fine success and that it will help them greatly to make Hanukkah an inspiring holiday in their homes. It was unanimously agreed that the Bureau is to organize at least one more holiday Institute before the end of the current year.

A folder which contained all materials used in the Institute was published and sent to all registrants about a week before the holiday. The special survey made by the Bureau staff and information received from the rabbis showed that many Jewish homes were beautifully decorated for Hanukkah and that a large number of inspiring and enjoyable Hanukkah parties for children and for adults were held.

The Pesah Institute

Six weeks before Passover new committees were organized for the Passover Institute. An attempt was made, as far as possible, to draw additional members to the various committees. The organization of this second Institute was made easy by the fact that we followed the pattern of the previous Institute as outlined in the Hanukkah folder.

Eighty-five women registered for the Passover Institute and attended all sessions faithfully. The first two sessions were devoted to the teaching of Passover songs, Passover stories, Passover games and to Passover decorations. The innovation of this Institute and its highlight was the third session which took the form of a Model Passover Seder, to which the women invited their husbands. At the head table sat a family of six, including a small boy who asked the four questions and an older son who recited the Kiddush. The head table was arranged in accordance with the Seder tradition and decorated with flowers.

The tables at which the members of the Institute sat with their husbands were decorated with beautiful centerpieces. These consisted of miniature models depicting the story of Passover and also scenes from modern Jewish life. The wall decorations consisted of huge paper chains with eight breaks. At each break was placed a large white liberty bell which carried quotations from the Bible referring to the mural which followed. In all there were eight bells and eight murals, four of the latter depicting scenes from the Passover story and four companion murals of modern Palestine.

The leader of the Seder read selected portions of the Haggadah in Hebrew and a group of about fifteen women read the appropriate English translations. While the traditional Haggadah was used, only the parts pertaining to Passover were read, with many of the prayers omitted. The ceremony lasted about an hour. The readings of the Haggadah were interspersed with explanations of the Pesach symbols, the religious and ethical significance of the holiday and some readings from the New Haggadah, published by

the Jewish Reconstructionist Foundation. A very important part of the Seder consisted of the singing of the traditional Passover songs which had been taught at the previous sessions of the Institute. This was a truly inspiring evening and, what is even more important, it was educationally a very effective evening. The purpose of the Seder was not only to show the participating men and women that the Seder can be a beautiful and meaningful ceremony, but *actually to teach them how* to make it so.

At the close of this third session many participants pledged themselves to conduct a traditional Seder in their own homes. Many expressed their gratification that the Institute taught them how to make this significant holiday beautiful and meaningful in their homes.

A folder containing the Passover materials used at the Institute, like recipes for the Passover dishes, music and the text of the words of the Passover songs, Passover stories, games and comments on the Haggadah, was published a few days before the holiday and sent to all the participants in the Institute for their use during the holiday.

Plans for Further Development of the Judaism-at-Home Movement

At the meeting of the board of directors of the Bureau in which all presidents of the local sisterhoods participated, it was decided that during the next year all sisterhoods in the city will conduct their own Hanukkah and Passover Institutes using as a guide the Hanukkah and Passover materials prepared in the two Bureau Institutes. The Bureau will lend every assistance to each sisterhood to make these Institutes successful. The Bureau of Jewish Education itself will conduct two additional Institutes next year, one on Shabbat and one on Purim. The idea behind this plan is to establish a network of neighborhood Institutes in the city with the Bureau pioneering in preparing materials for other holidays.

We were gratified to receive a communication from the president of the New York State Region of the Women's League of Conservative Sisterhoods ordering 42 copies of the Hanukkah folders to be sent out to every Conservative Sisterhood in the state outside of New York City in order that these Sisterhoods might conduct Hanukkah Institutes for Jewish mothers some time next fall.

In summarizing the benefits derived from these Institutes, it is important to remember that about 40 leading women in the community, members of the Institute committees, devoted weeks of self-study and preparation and acquired expert knowledge of the two holidays. Those who participated in the Institutes gained a fine understanding and knowledge of the two holidays and have succeeded, to a considerable extent, in making these two holidays more meaningful and inspiring for their children. Thus a considerable measure of correlation between the educational efforts of the school and the home was achieved. The Institute stimulated a great interest in Jewish books, and hundreds of Hanukkah and Passover books for children were sold during the period of the Institute's sessions. These Institutes have also paved the way for the sisterhoods to undertake a much more intensive program of Jewish education for their members. The Institutes have also given a great deal of satisfaction to our local rabbis and educators, as they afford them an opportunity, for the first time, to teach a large number of parents, Jewish customs, ceremonies, and observances instead of being satisfied merely with pleading the importance of such observances.

Admitting Pogromists and Excluding Their Victims

By ABRAHAM G. DUKER

It is by now generally recognized that the law for admitting 205,000 DP's which was passed by Congress was drafted so as to discriminate against Jews in favor of Nordic DP's. What has seldom been mentioned is that that law is likely to bring in many anti-Semites who shared in the Nazi genocide. The following article not only reveals the danger to which the law exposes American Jewry but indicts the Jewish civic defense organizations for having contributed to this undesired result by their ill-conceived policy of making the admission of Jewish DP's contingent on the admission of all these undesirable elements. Coming from as responsible a sociologist as Mr. Duker, who has studied the sources of information on the previous conduct of the Baltic DP's, these charges cannot be overlooked. The editors of THE RECONSTRUCTIONIST *are in no position either to substantiate or refute the charges of the author, but they believe that these charges deserve an airing, and that the Jewish defense organizations owe to the Jewish public an explanation of their course of action. If they desire to state their side of the case, our columns are open to them.*
—EDITORS.

MUCH has been said about the discriminatory features of the DP Admission Act of 1948, its veiled anti-Semitism, and its favoring of the collaborationist Volksdeutsche. Too little has been said about the charge that many, if not most, of the non-Jewish DP's are former German collaborationists, past killers, present fascists and anti-Semites, and potential pogromists and coup d'etatists. Even less has been told about the role of the Jewish national organizations and leaders in engineering what turned out to be an anti-Semitic and pro-Nazi legislative monstrosity. This legislation almost closed to immigration the doors which were left but slightly ajar since the passage of the racist restriction law of 1924. Moreover, the DP Act will set the precedent for exclusion of Jews from the rest of the Americas. Cuba, for instance, has already followed suit by shutting her doors more tightly to Jews. It is a sad reflection on the maturity of the community's leadership and its sense of pride and dignity that this closing of the gates to victims of Nazism and the opening of them to Hitler's collaborators must be ascribed in great part to a concerted but misguided effort on the part of the official spokesmen and strategists of the Jewish community.

Hitler's Helpers in Murder

The charges that a large number, if not the majority, of the non-Jews among the DP's are former collaborationists have been substantiated by Jewish and other survivors as well as by the records of the Nuremberg Trials. Their testimony proves the extensive use by the Nazis of volunteers of all nationalities. Suffice it to say that the extermination of the Jews and others was largely achieved by these quislings among the Balts, Ukrainians, White Russians, and other nationalities. Members of these nationalities were placed by the Nazis in the same categories as the racial Germans and other members of the Axis. They were freed from the dangers of execution, starvation, and forced labor. They were rewarded by grants of the property of the victims. Moreover, they were freely accepted not only in the German army and in the native police force, but also in the aristocratic super-"Aryan" SS outfits. These collaborationists were the chief persecutors of the partisans and main killers of Jewish children. They shared in dispatching 1,200,000 under the age of

14 in the most inhuman manner, usually without wasting precious German bullets. When the German troops were forced by the Red Army to withdraw westward, many of these collaborationists were given facilities to cross into Germany together with their families. Upon the collapse of Hitler's regime, 6,000,000 to 8,000,000 of the slave laborers and others brought to Germany from all countries occupied by her, rushed back to their homes without even waiting to exact their justifiable revenge from the Germans. The collaborationists remained, fearing to face well-deserved punishment at home. The Nazis did not as a rule recruit families for slave labor, having been interested in brawn or extermination rather than in permitting normal family life among the "lower" races. Hence an entire family that arrived in Germany before the end of the war is almost sure to be a collaborationist one. These Balts and other self-proclaimed "farmers" and "political persecutees" will not only receive priority in admission to the U.S.A. but will also enjoy the courtesy and accommodations provided by "non-sectarian" committees established in many states and cities to welcome them and provide them with apartments and jobs. Sadly it must be recorded that Jewish communal leaders have willingly joined such committees to welcome pogromists.

The presence of about a million persons in the DP camps in Germany, Austria, and Italy presented a challenge to the Allies and to the Western countries. They understandingly refused to force people to return to their homelands against their own wills. Machinery was provided for the expatriation of the proven war criminals and it functioned fairly efficiently in respect to the big-time murderers. The Soviets and other Eastern countries were not particularly interested in punishing the small fry. In fact, the coddling of the little collaborationist and quisling is as notorious a phenomenon in the East as it is in the West. Generous amnesty terms were usually refused by the DP's who hope to emigrate overseas to kinder climes and better conditions of living. Many, of course, distrust the amnesty. Thus in the view of the closed-door policy in most countries, the DP problem seemed to be an almost insoluble one and became the concern of the liberal and humanitarian elements in the U.S.A.

Jewish Interest

Jewish organizations were naturally interested in the problem, particularly since about 250,000 of the DP's were Jews. The possibilities of absorption in Palestine seemed remote at that time. Some anti-Zionists felt that the admission of Jewish DP's to the U. S. and other countries would be a serious blow to Zionism and were therefore particularly interested in promoting legislation for the entry of the DP's. It can be said, however, that the general interest of the Jewish organizations in this matter, particularly those in the civic-protective field, stemmed from humanitarian motives. Jewish leaders were of the opinion that direct agitation in favor of admission of Jews was doomed to failure, but that a concerted effort to demand the opening of the gates to all the DP's would, on the contrary, bring with it a substantial number of Jews, usually estimated as 20 per cent of the total.

Thus the Citizens Committee on Displaced Persons (CCDP) was organized, it is said, with the initial financial gift of a prominent anti-Zionist leader. It received the immediate backing of the most prominent Jewish organizations. A powerful propaganda apparatus and lobby were established. It is estimated that some Jewish organizations

and individuals were most active in its work. The praises of the CCDP were sung far and wide, any criticism of its tactics was resented. We shall spare the reader the sight of quotations. Soon enough the CCDP began to push legislation calling for the admission of 400,000 DP's. The final outcome of its efforts was crowned with relative success. Over 200,000 will be able in the course of two years to enter the U. S. under the DP Admission Act of 1948.

Propaganda Approaches

The propagandists of the Citizens Committee chose to ignore the presence of quislings among the DP's. They succeeded in selling the public the notion that all the DP's were innocent victims of Nazism and political persecution in Communist countries. The following quotations from the Citizens Committee's leaflet entitled, *Do You Know That,* published without a date, presents but one example of the Committee's propaganda. (The italics are mine.)

"1. Two years after the war there are still 850,000 people in Europe who live in detention camps.

"2. These men, women and children are the displaced persons—*the survivors of Nazi concentration camps. They are victims of all forms of religious and political persecution, of barbarism and Nazi terror.*"

It is obvious, we have written elsewhere, that members of the 15th Latvian Police Battalion and the other quislings who killed men, women, and, let us not forget, 1,200,000 Jewish children under the age of 14, are *not* survivors of the concentration camps. The Committee's propaganda utilized the feelings of mercy built up by the sufferings of Nazism's victims to make propaganda for all DP's, including the murderers, by its undiscriminating plea for all.

Moreover, when the Senate Committee singled out the Balts for special praise, the Citizens Committee did nothing to dispel this illusion about the most egregious collaborationists, thus helping to prepare their privileged position in the DP Act. It is most painful to relate that a letter on this subject addressed to Dr. Earl Harrison, president of the CCDP on May 22, 1947 by an authority who had just returned from a long stay in Germany, went unheeded.

The 20 Per Cent Argument

Another propaganda line of the CCDP was the continuous repetition of the argument that the Jews constituted only 20 per cent of the total number of DP's. In the words of a prominent Jewish leader:

"The American public must be made aware that the problem of displaced persons is not a Jewish problem. Every report emphasizes that only about one-fifth of the displaced persons are Jews. Jews are eager to have justice and security for all, since history has taught them that otherwise they can have none."

This, in my opinion, helped to prepare the ground for the limitation of the Jewish entrants. This 20 per cent line, I maintain today, as I have already stated (English page of *The Day,* July 25, and August 29, 1948), was a strategic error. Its implications are obvious. It sold the public and legislature the idea of restricting Jewish admissions by presenting a *numerus clausus* mentality. Our bitter experiences in Jewish history should teach us the lesson that when you preach or imply a *numerus clausus* you get a *numerus nullus.*

Other Friends of the DP's

While the Jews presumably provided the major financial backing and public relations experience for the CCDP, there were other groups interested in the DP

legislation. Some were moved by purely humanitarian reasons. Others, like the ethnic groups or the Catholic and Lutheran churches were interested primarily, if not exclusively, in their own co-nationals or co-religionists and did not feel restricted, as the Jews did, in pressing the case for their own. The desire to aid the anti-Soviet elements among the DP's, regardless of their collaborationist past, also played an important role in some circles, Jewish as well as Christian. Ultimately, general opinion had it that nothing derogatory should be said about the DP's. The press refused communications on this subject. Of particular interest to our readers is the stand of the *New York Times,* which published a letter by the late Dr. Alfred Bilmanis, Latvian fascist statesman, in which he denied that the Latvians had collaborated with the Germans. A fully documented reply by me proving the contrary from official German sources, was returned as unworthy of publication.

Useless Warnings

It is difficult to refrain from injecting the personal note. But from now on my story will be chiefly that of my unsuccessful attempts to dissuade the Jewish leaders from supporting the CCWP's efforts to secure the admission of pogromists, and of my endeavors, which I hope will be more successful, to convince them of the need for providing the material for the rigid screening of the undesirables.

The facts about the collaborationist and pogromist past of masses of these DP'S are well known to all who have had any contact with Jewish DP's who came to this country or with the writings of the survivors, or with the relief officials who came in contact with the refugees. It was no great revelation on my part to write as early as December 30, 1945:

". . . the Displaced Persons camps are full of all types of native collaborationists with Nazism who refuse to go back to their homelands because of the just punishment which they would have to pay for their crimes. Among these candidates for American visas there are not a few whose hands have been soaked in the blood of Jews, in whose extermination they have collaborated with the Germans. Such individuals are hiding behind the camouflage of the legitimate stateless and displaced. It will be the task of the authorities to prevent the loading of ships with fascists and pogromists, lest they poison the spirit of democratic America. Let us hope the authorities are aware of this." (Editorial, English page, *The Day*).

I have written about this problem time and again, particularly during the past two years, and even more so since the intensification of the propaganda of the Citizens Committee. (Cf. for instance, the longer statements in the English Pages of *The Day* March 24, 1946; Nov. 24, 1946; June 8, 1947; August 17, 1947; June 6, 1948). Not only did I write, but I have taken the trouble time and again to discuss the problem with leaders and staff members of the major defense organizations. As I have written elsewhere:

"I have maintained for the past two years that the public relations adventure which aimed at the admission of some 400,000 DP's, 20 per cent of them Jews, would end in disaster so far as the Jewish DP's are concerned. I have written about this, time and again, in the English pages of *The Day.* I discussed the subject more than once with the major defense organizations. I argued in vain that a large proportion of the non-Jewish DP's consists of former Nazi collaborationists, fascists, and participants in the killings of Jews and others. The reluctance of these criminals to return to their homelands has more to do with their fear

f justice than with their love for democracy. As Americans, it was my opinion, we had no business flooding our shores with criminals of this kind. I also contended that the Citizens Committee's oft-reiterated propaganda that only 20 per cent of the DP's were Jews was tantamount to direct preparation of public opinion for a *numerus clausus* in immigration.

"Moreover, I felt that if the Democratic Congress under Roosevelt did nothing about the Edith Nourse Rogers bill, which called for the admission of 20,000 Jewish orphans then threatened with death, it was most unlikely that the present Congress would do anything for Jewish immigrants. I therefore felt that we ought to be satisfied with the relatively speaking sizable quota admission of Jewish DP's within the past two years rather than take chances of restricting their numbers in the future. In line with this I warned that the false propaganda spread by the Citizens Committee on Displaced Persons to the effect that all the DP's (I am citing the Committee's literature) are victims of Nazism and former inmates of concentration and labor camps, was bound to give aid and comfort to the killers rather than the legitimate DP's. I also emphasized that should these SS-trained pogromists be admitted, they would be spearheads of the extermination stage of anti-Semitism in the U. S."

Early in June when the Act was about to be passed in the Senate, I intensified my efforts. I prepared a documented study of the DP criminality based on the Nuremberg Trials. (I forwarded a copy of this study to every member of Congress as well as to the important newspapers. The response of the general press was nil, except for the Yiddish papers. It was also inserted by Congressman Arthur Klein in the *Congressional Record,* August 2, 5, and 6.) I proposed to the organizations that they change their strategy, as I was certain that the bill would pass. I urged them to lend their aid in spreading the truth about the collaborationist favorites and that furthermore they get ready to fight the bill in the House and prepare the ground for a vigorous campaign to persuade the President to veto the bill should it be passed by both Houses. I also urged that research facilities be established immediately to prepare materials for the screening of the potential entrants. With the exception of some staff members, the organizations in question refused to believe that the anti-Semitic amendments would be passed in the Senate or that the bill would be passed in the House. When that catastrophe took place, some Jewish organizations began to urge the Citizens Committee to demand the Presidential veto. This the executive refused. The motion was defeated 13 to 4 at the meeting of June 23. However, the motion was passed that a public statement be issued by the CCDP in the nature of a blistering attack and a pledge was made that it continue to work for changes in the bill. How that pledge has been observed by some of the participants was seen soon after. Previous to that meeting the Jewish organizations had met to discuss the veto. A request for it regardless of CCDP action had been carried 4 to 3, with three abstentions. I have written and I repeat that, had the Catholics been treated in the same shabby way, the Jewish organizations would have joined in a vigorous demand for the veto.

The Anti-Catholic Myth

The Citizens Committee and the Jewish spokesmen then placed their hope on the Special Session of the Congress which met on July 26. They were hoping that

the bill would be modified to permit entry of the Jews who came to Germany after December 22, 1945, the deadline specified in the bill preventing the entry of the refugees from the post-Kielce pogroms. Again preferring to avoid a direct appeal to the public on the basis of anti-Jewish discrimination, the line of protest emphasized that the law was both anti-Catholic and anti-Jewish. This despite the fact that most of the DP's are Catholics The Jewish organizations did not take at all into consideration my charges about the DP criminality. Instead, they demanded that the bill be amended to permit the entry of 400,000 instead of 200,000 DP's. In other words, as I wrote then, ". . . they are asking for more fascists, which will make it even more difficult to screen these people."

The denouement of the tragedy in public relations came when the Catholic spokesmen asserted in the middle of August that the charges of anti-Catholic discrimination were untrue. Senator Alexander Wiley of Wisconsin expressed himself most bluntly on "the reckless charges" that the subcommittee was "prejudiced against any religion, race, or group. Already," he continued, "America's Catholic leaders have vigorously refuted the charge that this law in any way is anti-Catholic." (*National Jewish Post,* August 20, 1948.) In other words, the Catholic spokesmen objected to any efforts to amend the bill in favor of Jewish victims of Polish pogroms or Jewish escapees from the East. It is interesting that the same issue of the *Congressional Record* (August 2) which carried my exposé of the DP's, also contained a statement by a Catholic dignitary denying the anti-Catholic charges. It is also interesting to note that the denials followed President Truman's open condemnation of the bill as anti-Catholic and anti-Jewish. How illusions persist can be seen in the fact that an editorial in the *Jewish Daily Forward* repeated the anti-Catholic charge as late as August 18th. The failure of the President to veto the bill did not come unexpectedly. It is told that the president of one Jewish organization had to be dissuaded by his staff from sending a telegram to President Truman urging him *not* to veto the bill. This may be apocryphal, but it is not atypical, as some officials of some organizations continue to insist that the entire action was "a calculated risk" and that they would do it over again if they had the opportunity. They argue that it was only a few legislators who upset the apple-cart and that the method and project were essentially correct. Of course, they continue to ignore or minimize the charges about the criminality of the DP's.

The open reaction of some spokesmen was even more revealing. The president of the United Service for New Americans issued a statement, after the President's signing of the Act, minimizing its effects on Jewish immigration and arguing that plenty of Jewish DP's would be coming in. Evidently, he did not think in terms of the borrowings against the quota provided by the Act, which will put an end to Jewish immigration, possibly for a great many years. Lessing Rosenwald, president of the American Council for Judaism, blamed the Zionists for this Act. In a statement to the *National Jewish Post* of Indianapolis he said that "perhaps a fair, decent and equitable DP bill might have been made law 'if only a small portion of the effort expended for a Jewish political state had been devoted to the task of public education about our responsibilities to the DP's." The anti-Zionist Social Democratic monthly, *Der Wecker,* another Bundist organ, *Unzer Tzeit,* and *Oifn Shvel,* organ of the Ter-

itorialist Freeland movement, similarly lamed the Zionists for it. My reply to his is that Jews have done too much ather than too little on behalf of the DP's.

The Screening Problem

Since the events have borne out my predictions, I have continued to press the organizations to provide research facilities which would unearth the truth about the individual criminals among the DP's and aid the authorities in their screening process. In this, too, I have thus far been unsuccessful. It is too early to go into details for, partly as a result of my presentation of September 20, professionals engaged in community relations voted to ask the National Community Relations Advisory Council to present before its meeting last week the proposal that such research facilities be established. Unfortunately, the time lost by the delay, some four months since June, or at least three months since July, when my plan for research was presented to one leading organization, is irreplacable. Furthermore, it is worthy of note that, so far as I know, the organizations have not thus far seen the necessity for meeting together to discuss the problem of the pogromist importations, preferring to deal with this matter independently. At present, the attention of the organizations is concentrated on two objectives. The first is an attempt to amend the Act in 1948. It is hoped that in their zeal for amending it, the organizations will refrain from urging the importation of 400,000 instead of 200,000. Their tactics may turn out to be so good, that they may obtain this "improvement." The second objective concentrates on achieving the most that is possible within the present bill, which optimists—and most of the organizational spokesmen belong to this school—predict, may permit the entry of 20,000 Jews. Still unmindful of screening needs, some Jewish spokesmen claim that they have been instrumental in "liberalizing" the processing routines for the newcomers. In my opinion, this again facilitates the entry of the undesirables, particularly since nothing has thus far been done about the real screening. As we have said, prominent Jews, representing both labor and capital, are to be found on the DP committees, appointed by governors and mayors. The least we can say is that we hope that their sins will not be visited upon their children.

Conclusions

The handling of the DP problem by the CCDP and Jewish civic defense organizations has obviously proved a failure, and one which will have tragic consequences. The Jewish organizations owe an explanation to the public. What is more, they owe it to themselves as well as to the Jewish public to admit their mistakes, and to correct them, as far as possible, by presenting plans for the careful screening of applicants for admission on the basis of their record during the Nazi occupation.

THE RELIGION OF THE JEWISH PEOPLE

"Judaism is the religion of the Jewish people. It is both the deed and the creed, the life of Jewry and the faith that motivates this life and gives it distinction. It represents the aspirations and the conduct of Israel as a community and of every soul in Israel as a free, morally responsible personality. Judaism is at once theory and practice, personal and social, ancient and contemporary."

BERYL D. COHON, in *Judaism in Theory and Practice*, published by Bloch Publishing Company.

What Is Jewish Life?*

By NATHAN A. BARACC

I RECENTLY attended an informal meeting of community leaders. I heard repeated reference to "Jewish life." I do not know what the speaker meant by these two words—"Jewish life." Did he mean that the mere association of persons born of Jewish parents is Jewish life? Are Jews who despise their Jewishness also living a Jewish life? Did the speaker mean that giving money for the saving of Jews and for the maintenance of Jewish institutions is Jewish life? I know of Gentiles who have given of their money, time and energy for Jewish causes. Did he mean that the attendance at a lecture about or for Jews or the listening to a song in Yiddish or Hebrew is Jewish life? Again, I know non-Jews who not only attend such lectures, but who deliver them!

Perhaps our speaker meant that, to live a Jewish life, one has to be born a Jew, give for Jewish causes, associate with Jews and attend meetings about and for Jews. If that is what he meant, I know that such Jewish life is not potent enough to keep us alive. If the combination were powerful enough to sustain us, I do not know how worthy it is in itself. One is born a Jew not by his choice, but by that of his Creator. Certainly we hope that the time will come—speedily—when we shall not have to collect money to save Jews and Jewish institutions. We hope that Jews will live normal, decent lives and that every country will protect its citizens and care for its needy. I love the Hebrew language, and I know and care enough for Yiddish to have read "Three Cities" in the original language and to subscribe to a Yiddish daily. Yet, I do not want to forget that, important as language is, nevertheless, it is a mere medium of expression.

Our ancestors were reprimanded by the Prophets for worshiping idols—in Hebrew. Many a curse and obscenity has been expressed in Yiddish.

Jewish life must mean a life distinctly Jewish, worth living and preserving. Jewish life has all the elements of all worthwhile life. It has aspects characteristic of itself. Jewish life began when the Israelites undertook to abide by the laws accepted on Mt. Sinai. Judaism is the Jewish way of life.

To live Jewishly—not merely to live with Jews or to help Jews live or to discuss how Jews live or have lived, but to *live Jewishly*—is to follow the Jewish way of life. It is to live in accordance with our highest idea of God. It is to consider every person important, regardless of rank in life. It is to treat people, in their presence and in their absence, as we would want them to treat us.

Jewish life means to maintain religious laws and religious symbols.

Above all, it is to observe the spirit and the letter of that unique and beautiful Jewish institution—the Sabbath and the holidays.

When I was in the army, I tried to keep the Sabbath consecrated. I know now that the non-observance of even the prohibition mars the holiness and beauty of the day, for those prohibitions, sometimes considered burdensome, are valid, at least, psychologically. Properly observed, they induce an atmosphere of sanctity and rest.

Jewish life is worth living.

It brings peace and meaning.

If you ask me, what about the tension

* Reprinted from the bulletin of Beth El Congregation, Phoenix, Arizona.

om without, my answer is that one arns for a beautiful and cheerful home d home life. One also knows that a autiful home still needs a city free of idemics and fire hazards. And so with wish life. It thrives not on emergencies id dangers. It needs a free and just and aceful world for its full realization.

In fact, the quest for righteousness and peace in business ethics, in intelligent citizenship, in social awareness and action is part of Jewish life.

Jewish life is positive and grand and constructive. It is as great and rich as man's hope born on Mt. Sinai with the receiving of the Torah.

Random Thoughts

There are Jewish circles where the following conversation is true to pattern. The characters are, of course, fictitious. The occasion is a visit of four members of a U.J.A. campaign committee, calling on an immensely rich Jew who, long after the campaign has been in progress has not yet pledged any contribution.

"You know, Mr. Wales," says Samuel Fine, the chairman of the committee, "our quota for the U.J.A. is five million dollars. Our campaign closes next week. We know your generosity and we depend upon you to make a substantial contribution. You have been away on your vacation. That is undoubtedly the reason you haven't gotten around to answering the mail from the U.J.A. office."

"I am sorry," interrupts Mr. Wales in a tone of impatience, "this 'shnorr' business makes me tired. To whom does all the money go—a lot of communists who are no good. And besides, what right have we to take hard-earned money from this country and send it to foreigners?"

"They are not foreigners," answers Fine. "They are our fellow-Jews who are victims of the Nazis."

"What do you mean fellow-Jews?" says Wales with rising anger in his voice. "What have I to do with those people, and they with me? There are plenty of people in the world who are being persecuted, but I am not the one who does the persecuting, and I owe them nothing."

"But aren't all of us Jews in the same boat?" replies Fine. "That doesn't mean that we are all religious. You may be sure that not one of us who have come to see you has seen the inside of a synagogue or temple for the last ten years. But if we don't help the Jews in the concentration camps, they will really become Bolsheviks, and we will have more anti-Semitism in the world."

After much pleading in this vein on the part of Samuel Fine and the other three members of the committee, the millionaire Lucius Wales grudgingly promises to contribute one thousand dollars.

* * *

It is amazing how much ignorant people have to unlearn.

* * *

Advice to the fishers of men:
Let your bait be an interesting subject.
Let your line be a believable philosophy.
Let your book be a workable application.
Let your sinker be a striking illustration.

* * *

"It is better to be a live dog than a dead lion," said Koheleth.

But not an underdog.

* * *

The greatest troublemakers in the

world are extremists. But for them there might not have been religious or national war. The trouble, however, is that it takes extremists to stop extremists.

* * *

What someone said about a husband is also true of a nation. A nation has many obligations, but being great is not one of them.

* * *

People put as much credence in cataclysm as they do in 'Utopia' That is why they are as little frightened by t threat of the one as they are persuad by the promise of the other.

* * *

We wake up every morning to learn some new crisis.

We fall asleep every night with the of emergency ringing in our ears.

* * *

Very few people can get along witho myths about the past and illusions abo the future. M. M.

Correspondence

A LETTER AND MEMORANDUM ON RELIGION IN THE JEWISH STATE

We are glad to bring the following letter and the memorandum accompanying it to the attention of our readers. Its author, a graduate of the Rabbinical Seminary of Breslau, who, before coming to Eretz Yisrael, had served in the Liberal rabbinate of Germany, tells us in this letter of the difficulties encountered by religious Jewish Liberals in Eretz Yisrael, because of the legally entrenched position of Orthodoxy. He also gives us his suggestions of what needs to be done in the future by the State of Israel if religion is to be free and democratically progressive. The letter and memorandum were written before the establishment of the State of Israel and some of Rabbi Lazarus's strictures may no longer apply. Nevertheless the problem has not been solved and merits further discussion.

—Editors.

Sirs:

I beg to enclose some observations on the place of religion in the future Jewish State which might serve as a basis for discussion and direct the attention of my liberal colleagues in the U. S. A., to this vital problem. I am a regular reader of your excellent publication and read with great interest your remarks on this particular problem in your issue of October 31, 1947. That is why I consider your publication the proper mouthpiece for a debate on this question.

I have been assistant rabbi to Dr. Elk in his Liberal Congregation, "Beth Israel," Haifa, for eight years. My experiences during this period move me to put into writing my ideas on this subject in this decisive hour, as I am conscious of the responsibility which now rests with every Liberal rabbi of Palestine.

There is certainly no need to explain to you the situation of Liberal Judaism here. You are undoubtedly aware of the fact that not one of the three small Liberal congregations has been recognized and that not one of the three Liberal rabbis (Dr. Elk, Haifa; Dr. Wilhelm, Jerusalem; Dr. Rosenberg, Tel Aviv) may officiate, for example, at a marriage ceremony. You see the paradoxical position of th members of our congregation who have turn to Orthodox rabbis in all cases of nee At the best we are permitted to officiate wedding ceremonies under the supervision some Orthodox rabbi. Only Dr. K. Wilhel of Jerusalem was granted, by mere acciden while the late Chief Rabbi Kook was in o fice, the *de facto,* but not the *de jure* privileg of officiating at marriage ceremonies. It shoul be noted, incidentally, that the term "Liberal here means approximately the same as "Con servative" in America. There is hardly an difference between our service and the Ortho dox. (No organ is used and, of course, th entire service is conducted in Hebrew).

Not with an easy mind have I decided t put down the enclosed few remarks, whic represent—I would like to stress this—exclu sively my own personal opinion. I was led t do so by my fear that Liberal Judaism in Eret Yisrael will be made impossible for genera tions. My concern has been further increase by the notices so far published in the press, b the composition of the preparatory committe —Mapai and Mizrachi are playing their poli tical game—by the counter-proposal on th

of the Chief Rabbinate, which is to be ex-
d to go even further, and by the preva-
religious indifference. My three col-
es, moreover, do not see their way to
their opinion for prudential reasons and
of a *Kulturkampf*. I know quite well that
are hardly any prospects of changing
s, but my conscience as a Jew and as a
al rabbi demands that I at least say
is on my mind. As, to my regret, I clearly
ee, there is a clerical state on its way
his country, in which, as heretofore, any
conformist trend in Jewish religion and
vital religious development will be pre-
d. Our youth will be lost to us, even
than has been the case until now.
t me state frankly that considerable
e must be put also on rabbis in the
S. A.—Conservative as well as Liberal—
so far have done next to nothing to help
May it serve as an example that we
ral Jews have been unable, to this day,
twelve years of existence, to erect a
se of Worship for any of the three con-
ations. We worship in basements, etc. We
still unable, too, for lack of means, to
an esthetic appearance to our service,
as would suit the taste of our members,
t of whom have come from Germany and
r parts of Central Europe.
conclusion, I should like to say that I
purposely omitted to mention in my
norandum the problem of education. It is
involved and comprises too many problems.

PAUL LAZARUS,
Assistant Rabbi, Congregation
Beth Israel, Haifa, Israel

Memorandum

Conditions up to now—their disadvantage
and the danger of perpetuating them in
the new Jewish State.

The Orthodox Rabbinate (there is at pres-
no other recognized rabbinate in Palestine)
the authoritative body possessing consider-
e legal and juridical competence. This
ly as the decisive and solely competent au-
rity regulates matters of personal status
., marriage, divorce and the law of in-
itance) in accordance with Talmudic law,
ich—as conceived by the Rabbinate—de-
es from divine inspiration and is, therefore,
cording to this opinion not subject to prin-
al changes by men. Many, inwardly not in
reement with these prevailing conditions,
ve yet so far submitted to them for reasons
national solidarity.
a. Thus the conscience of individual Jews—
willing to live in accordance with this Orth-
ox conception—is being put to a severe
t.
b. There will not be any room for non-Orthodox demands. Thus any vital development of religion and its functions (e.g., marriage law) is made impossible.

II. The following principal demands are therefore to be put forward:

a. *Separation of Church and State*

This would mean to us

b. That all citizens of the Jewish State would enjoy complete freedom of conscience and that the unrestricted holding of religious services of all kinds would be guaranteed to everybody by the state.

c. That compulsory membership in the Keneset Yisrael ought to be abolished.

III. *Explanatory Remarks*:

What does "separation of Church and State" signify? We must first of all realize that "separation of Church and State" is a political slogan, but not a clearly defined conception of indubitable content.

a. Religion is part of a people's culture. We ought, therefore, to aim at a community in which every person belonging to it is able to live in accordance with his individual religious requirements. He must be free to associate himself with other like-minded persons in a congregation that is a corporate body with the right to tax its members.

b. Another form of separation of Church and State would be the elevation of a religious association beyond the legal status of a private association, thus granting it the complete freedom of developing its affairs. The State is neither to interfere with its management nor to lay claim to the right of supervision or control. In spite of renouncing any governmental control, the State takes over the obligation to provide for the ministers, i.e., the rabbis. This is an ideal solution, by which the State takes on itself all duties while renouncing all rights, a solution such as has been achieved in Belgium and in Luxembourg.

c. If none of these aims is to be attained, the United States should serve as a model, a country in which the State has discontinued any connection with the Church and in which joining a religious congregation is entirely voluntary. The congregation then is a free association, no longer a corporate body with delegated juridical authority. Membership is acquired by a personal declaration. Special legal consideration would have to be given to the financial needs of the congregations, even though, as in America, no governmental authority, such as the power of taxation, is conferred on them.

d. The congregations organize themselves on a democratic basis; they are free to manage their affairs according to their own free will, electing their own boards and their rabbis.

e. These rabbis and their rabbinical functions are to be recognized by the State. Only

such persons may officiate as rabbis as can produce certificates testifying to their training and to their having passed an examination (*hattarat horaah*) at a recognized rabbinical college in Europe or America or have had equivalent rabbinical training. All these rabbis, irrespective of their *Weltanschauung* (religious ideology) enjoy the same status.

IV. *Advantages of these proposals*:

The organization of such congregations is based solely on the piety of the individual. One who is interested in religion becomes a member of the congregation. The scope and achievements of these congregations will thus be measured by the true devotion and the firm belief of their members. Such a congregation can develop freely in every respect, as no authority interferes with its internal affairs in any way.

V. *Difficulties and disadvantages of the solution, suggested in IIIc.*

On the one hand, a complete break with Jewish tradition, is undesirable; on the other hand the religious freedom of the individual Jew is to be guaranteed. Therefore:

a. The objection might be raised that it is not in accordance with the dignity and the importance of religion in the life of a people that adherence to it should be expressed solely by founding private associations. It may further be objected that such a congregation lacks stability, lives only for the moment; that expenses are not determined by requirements; that, on the contrary, the satisfaction of requirements may depend on the income. Furthermore, such a congregation may be dependent on the generosity and magnanimity of the well-to-do, who may demand an increase of their influence on the management of the congregation in recognition of their p ticular contributions. And there is, finally, other risk, namely that the indifferent may lost entirely.

There is, however, an answer to all th objections: All three Liberal Congregati in Palestine have even now to contend w these difficulties, so that for them there wo be no change for the worse in this respect.

b. The objection that everything should avoided that may start a so-called *Kult kampf* may, in my opinion, be considered have no bearing, as nothing can ever achieved without a struggle. The responsi ity, which rests with all liberal-minded rel ous Jews is too great to let them renounc without a struggle, perhaps for generations come—the achievement of a status for Libe Jewry in the Jewish State.

Conclusion:

It is another important fact that in th countries in which separation of Church a State has long since been established, above in the United States, there is a vitally puls ing religious life.

Jewish history shows us as well that t Synagogue came into being on a foundation spontaneity and liberality, and that it has ways endeavored to retain these qualities.

Nowhere in the Jewish world is there single religious trend that exercises such stro legal powers as Jewish Orthodoxy in this co try. We are threatened with the danger th the coming Jewish State will become a cleri state, in which many will find it intolerable live.

True democracy, on which every mode state should be built, demands in the fi place liberty and freedom in all spheres an above all, in that of religion.

REALITIES AND VALUES

(*Continued from Page* 9)

think the amendment necessary for clarification.

There is nothing inherently objectionable, from a religious and ethical point of view, to either the public or the private ownership of capital.

What is objectionable in communism results from its ideological basis, from its assumption that morality is a class concept and that no act which advances the proletarian revolution is subject to condemnation on moral grounds.

The term *capitalism* has no such clear ideological denotation. Is Great Britain, for example, a capitalist or a socialist country? But the objectionable features capitalistic economies, the ruthless com petition and exploitation that so ofte prevail in them, find a rationalization i the theory of *laissez faire,* the theory tha self-interest is an adequate basis for a economic order.

That doctrine is irreligious. In con demning both it and communism, th World Council of Churches puts its finge on the heresy that is common to both That heresy is the assumption that th "economic man" is the real man, an that loving-kindness and reverence fo human personality must not interfer with economic processes.